

USDA Pesticide Recordkeeping Requirements

for Certified Private
Applicators of Federal
Restricted Use Pesticides



As of May 10, 1993, certified private pesticide applicators must maintain record(s) of federally restricted-use pesticide applications. The record(s) must be maintained for 2 years following the pesticide application.

In addition, effective August 1, 1995, the record information must have been recorded no later than 14 days following the pesticide application, instead of the previously allowed 30 days.

The records must contain:

1. The brand or product name of the federally restricted use pesticide and the product's EPA registration number.

2. The total amount applied. Record the total quantity of the product used — not the quantity after water or other substances were added. Amount does not refer to percent of active ingredient. Use the pesticide label for reference and record the amount in similar language. For example, if the label states the pesticide is to be measured in pints or ounces, then record the amount in that measurement.

3. The size of the area treated. This information should be recorded in the unit of measure (such as acre, linear feet, bushel, cubic feet, number of animals, etc.) which is normally expressed on the label in reference to the application being made. For example, if an 80-acre grove is treated using the alternate middle approach, the entire 80 acres would be recorded as the "size of area treated."

4. The crop, commodity, stored product, or site to which the pesticide was applied. Refer to the pesticide label for guidance to record this information.

5. The location of the application. Record the location of the application, not the address of the farm or business. Your goal is to be able to identify the exact area of the application 2 years later if requested. The law allows any of the following designations:

- county, range, township, and section (although not required, subsection is acceptable);
- maps or written descriptions;
- a USDA identification system, which involves maps and a numbering system to identify field locations;
- the legal property description.

6. The month, day, and year of the application.

7. The certified applicator's name and certification number, if applicable (some States do not assign numbers). If the application was made by someone who is not certified, then record the name and number of the certified applicator who supervised the application.

How to Record Spot Treatments:

Spot treatments are especially useful in the control of noxious weeds. If you apply restricted use pesticides on the same day in a total area of less than 1/10 of an acre, you are required to record the following:

- brand or product name, EPA registration number;
- total amount applied;
- location of treatment designated as “spot application,” followed by a description (e.g., the location could be recorded as “spot application,” followed by “treated for noxious weeds on Field A,C and all pastures”);
- month, day, and year of the application.

This provision excludes greenhouse and nursery applicators, who are required to keep all data elements as listed.

There is no required Federal form to maintain your records.

Access to the Record Information Is Limited to:

- USDA-authorized representatives who present identification;
- State-authorized representatives who present identification;
- Attending licensed health care professionals, or those acting under their direction, when treating individuals who may have been exposed to restricted use pesticides.

Commercial Applicator Requirements:

All commercial applicators will continue to maintain the records they currently keep under State, Tribal, or Federal regulations. The new Federal pesticide recordkeeping regulations require all commercial applicators, both agricultural and non-agricultural, to furnish a copy of the data they are currently keeping, or the data elements required by this regulation, to the customer within 30 days of the restricted use pesticide application.

Civil Penalties:

A certified applicator who violates any provision of the regulations will:

- For the first offense, be subject to a fine of not more than \$500;
- For subsequent offenses, be subject to a fine of not less than \$1,000 for each violation. The penalty shall be less than \$1,000 if the Administrator of USDA Agricultural Marketing Service, or his or her designee, determines that the certified applicator made a good faith effort to comply.

Regulations Concerning Certified Private Pesticide Applicators

Effective May 10, 1993, certified private applicators who have no requirement through State laws to maintain records of federally restricted use pesticide applications must comply with the Federal pesticide recordkeeping regulations.

Certified private applicators who are required to maintain records of pesticide applications under State regulations will continue to keep their records as required under their State regulations.



Benefits of Pesticide Recordkeeping

USDA's National Agricultural Statistics Service (NASS) is currently conducting surveys on pesticide use for agricultural production. The information gathered from these surveys is used to maintain a data base on the utilization of pesticides by agriculture. This information is used to provide annual reports to Congress, which can be valuable in policy discussions involving pesticide use.

Additional Information

For additional information about the Pesticide Recordkeeping Program, write to: Pesticide Records Branch, Science Division, Agricultural Marketing Service, USDA, Suite 200, 8700 Centreville Road, Manassas, VA 20110.

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